

AN ACT PROHIBITING THE STATE OF ALASKA FROM PROVIDING BALLOT LISTINGS FOR CURRENT OR FORMER INCUMBENT MEMBERS OF THE ALASKA STATE LEGISLATURE SEEKING TO HOLD OFFICE IN THE STATE LEGISLATURE LONGER THAN THE LIMITS IN THIS ACT

BE IT ENACTED BY THE PEOPLE OF THE STATE OF ALASKA:

Section 1. TITLE. This act shall be known and may be cited as "The Alaska State Ballot Access Limitation Act."

Section 2. PURPOSE AND INTENT. The purpose and intent in enacting this legislation is as follows:

- a) To promote, protect and defend the compelling interest of the citizens of this state in preventing corruption and the appearance of corruption among the legislative representatives of this state by limiting the number of terms in which any State Senator or Representative may hold his or her office.
- b) To promote, protect and defend the compelling interest of the citizens of this state in preserving the integrity of the ballot by ensuring, to the greatest extent permitted by law, competitive elections without the corrupting influence of special interests upon entrenched incumbents.
- c) To promote, protect and defend the rights of the citizens of this state, guaranteed by the First Amendment of the United States Constitution, to vote for the candidates of their choice, and to stand for and hold elective office, by curtailing the effects of entrenched incumbency and freely permitting write-in candidacies.
- d) To promote, protect and defend the rights of the citizens of this state for equal protection of the laws, guaranteed by the Fourteenth Amendment to the United States Constitution, by giving more of the citizens of this state the opportunity to stand for and hold elective office.
- e) To ensure that when this measure does become operative, it is given the maximum retrospective effect permitted by applicable law in order to prevent the perpetuation of a professional, state office-seeking and office-holding class.

Section 3. LIMITATION OF BALLOT ACCESS BY ALASKA STATE LEGISLATIVE CANDIDATES. A new Section is hereby added to the Alaska Election Code to read as follows:

Section 15.____. STATE LEGISLATIVE CANDIDATES; BALLOT ACCESS.

a) No person is eligible to place or to have his or her name placed upon the ballot for election to the Alaska State House of Representatives if, by the end of the then-current term of office, the person will have served, or but for resignation would have served, as a member of the Alaska State House of Representatives or the Alaska State Senate representing any portion or district of the State of Alaska during **eight** or more of the previous **sixteen** years.

b) No person is eligible to place or to have his or her name placed upon the ballot for election to the Alaska State Senate if, by the end of the then-current term of office, the person will have served, or but for resignation would have served, as a member of the Alaska State Senate or the Alaska State House of Representatives representing any portion or district of the State of Alaska during **eight** or more of the previous **sixteen** years.

c) The provisions of this section shall, to the maximum extent permitted by applicable law, be interpreted as having effect from and after the effective date of this law upon any member of the Alaska State House of Representatives or Alaska State Senate elected at the same election at which this measure was enacted, or at any election held thereafter; provided, however, that years of service completed during a term of office which commenced prior to the election at which this measure was enacted shall not be included in determining previous years of service for the purposes of subdivisions (a) or (b) of this section.

d) Nothing in this article shall be construed as preventing or prohibiting the name of any qualified voter of this state from casting a ballot for any person by writing the name of that person on the ballot, or from having such a ballot counted or tabulated, nor shall any provision of this article be construed as preventing or prohibiting any person from standing or campaigning for any elective office by means of a write-in campaign.

e) Nothing in this section shall be construed as preventing or prohibiting the name of any person from appearing on the ballot at any direct primary or general election unless that person is specifically prohibited from doing so by the provision of this section and to that end any such prohibiting provisions shall be strictly construed.

Section 4. SEVERABILITY. If any provision, subdivision, part of the subdivision, or clause of this act shall be held by a court of competent jurisdiction to be void, invalid, or unconstitutional for any reason, the remaining provisions of this act shall not be affected, and to this end the provisions of this act are severable.
